



United States Department of the Interior

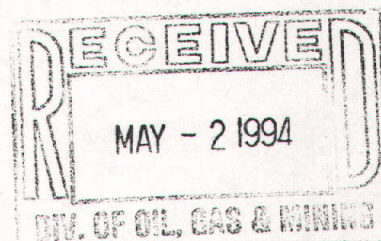
BUREAU OF LAND MANAGEMENT

Dixie Resource Area
225 North Bluff Street
St. George, Utah 84770
(801) 673-4654

3809
UTU-67799
UTU-68572
UTU-72243
UTU-71165
(UT-045)

April 26, 1994

D. Wayne Hedberg
Division of Oil, Gas, and Mining
355 West North Temple
3 Triad Center, Ste. 350
Salt Lake City, UT 84180-1203



Dear Mr. Hedberg:

Dennis Bedolla submitted the attached amendment to his Notice. This is an extension of the road he began in July of 1991 and a test trench. Our file number for this operation is UTU-67799. Our records do not indicate the Utah Division of Oil, Gas and Mining (UDOGM) reference number. *E/053/034*

The acceptance letters for the USMX exploration road (E/053/012) and the J.L. Carroll Exploration project (E/053/045) are also attached. The Carroll operation was inspected on April 21, 1994 by Larry Gore, and drilling and plugging had been completed. The sites were left in good condition, so this Notice will be closed by the BLM.

The Notice of Noncompliance we are issuing to Jerry Glazier and 5 M, Inc. is also attached. After discussions with our State Office, the Interior Solicitor, and Pete Stevenson of the EPA, it was decided to issue the Notice of Noncompliance for failure to file the required Notice or Plan of Operations. The reclamation and hazardous material cleanup issue will be dealt with when the rehabilitation plan is finalized by the EPA, BLM, and UDOGM. If you have any questions, please contact Larry Gore at this office. *m/053/002*

Sincerely,

Kim Leany
Kim Leany
Acting Area Manager

Enclosures

Notice - 3 pp
Acceptance letters - 4 pp
Notice of Noncompliance - 2 pp



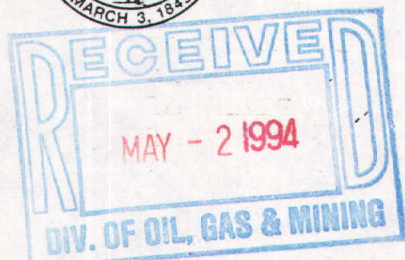
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(UT-045)

Handwritten: 4-26-94



April 26, 1994

CERTIFIED MAIL # P 347 587 219 - RETURN RECEIPT REQUESTED

DECISION

Mr. Jerry Glazier :
5 M, Inc. : Notice of Noncompliance
P.O. Box 752 :
Hurricane, UT 84737 :

Our files indicate that 5 M, Inc. submitted a Plan to the Utah Division of Oil, Gas and Mining for the Silver Reef mining project in April 1978, and provided a copy to the BLM at that time. However, when the mining regulations became effective in 1981, you failed to submit a Notice or Plan of Operations as required in 43 CFR 3809.1-8.

On April 8, 1993, the Dixie Resource Area sent you a letter outlining our concerns with the site and requesting that you submit the Notice required by the mining regulations, as well as take some steps to mitigate the impacts on Federal land. We received your letter dated May 17, 1993 stating that you had plans to continue operations. That letter did not provide any additional details and was not responsive to our request that you submit a Notice. Since that time you have not submitted any Notice or Plan of Operations, contacted the BLM concerning the operation, or completed any of the mitigation we identified.

The Environmental Protection Agency, in conjunction with BLM and the Utah Division of Oil, Gas, and Mining and other affected Federal and State agencies, is currently preparing a rehabilitation plan to remedy the impacts of the hazardous materials on the site.

Failure to submit a Notice for mineral activities on unpatented mining claims located on Federal lands in T. 41 S., R. 14 W., sec. 1 and 12, SLBM is noncompliance with 43 Code of Federal Regulations (CFR) 3809.1-3 or 3809.1-4, 3809.1-8, and 3809.3-2. The operations you have conducted since the 1970s have also resulted in unnecessary or undue degradation of Federal lands due to the improper storage of hazardous materials.

Failure to submit a complete Notice or Plan of Operations as

required by 43 CFR 3809.1-3 or 3809.1-5 by May 22, 1994 will result in a record of noncompliance. BLM policy states that an operator who has established a record of noncompliance must file Plans of Operation for any work on BLM land (regardless of area) and must be bonded for the entire projected cost of reclamation. It is therefore to your advantage to submit the Notice or Plan of Operations in a timely manner and avoid establishing a record of noncompliance.

You have the right to appeal this decision to the Utah State Director, Bureau of Land Management, in accordance with 43 CFR 3809.4. If you exercise this right, your appeal, accompanied by a statement of reasons and any arguments you wish to present, which would justify reversal or modification of the decision, must be filed in writing at this office within 30 days after the date of receipt of this decision. This decision will remain in effect during appeal unless a written request for a stay is granted.

If you need further information concerning this Notice of Noncompliance, please contact Larry Gore, at the Dixie Resource Area office.

Sincerely,

Kim Leany
Acting Area Manager

Enclosure:
43 CFR 3809 - 3 pp

cc:U-921
EPA
UDOGM
claimants